

01/13/2005 THU 14:09 FAX 12489888363 Carlson, Gaskey & Olds

JAN 13 2005

001/017

Serial No. 09/592,751, filed 6/13/00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Kalageros et al. EXAMINER: Carpenter, Scott  
SERIAL NO.: 09/592,751 GROUP ART UNIT: 3612  
FILED: June 13, 2000  
FOR: CRUMPLE ZONE FOR BODY PANELS  
ATTORNEY DOCKET NO: 60,130-709 (99MRA0211)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL SUBMISSION OF NEW AUTHORITY**

Dear Sir:

Pursuant to M.P.E.P. § 1206, Appellant hereby submits the Federal Circuit decision of *Koito Manufacturing Co. v. Turn-Key Tech*, 381 F.3d 1142 (Fed. Cir. 2004). This decision became available only recently, and therefore was not available for submission at the time the brief was filed. *Koito* provides an analysis of the proper claim construction of the term "predetermined," which affords further support for the Appellant's position that "predetermined" means "1 a: foreordain, predestine b: to determine beforehand 2: to impose a direction or tendency on beforehand." See, for example, footnote 2 on page 1150.

Respectfully submitted,  
CARLSON, GASKEY & OLDS

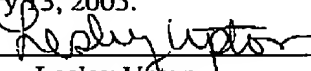
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Dated: Jan 13, 2005

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**CERTIFICATE OF FACSIMILE**

I hereby certify that this Supplemental Submission of New Authority and footnote are being facsimile transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 at 703-872-9306 on January 13, 2005.

  
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Lesley Upton